This Office Action is in response to Applicant's amendment submitted November 19, 2008 and an interview held with Applicant's representative on December 4, 2008. Applicant's amendment amended claims 1-12, 42-56, 58-62 and 64. Claims 13-41 being previously canceled. The examiner's amendment below corrects the numbering of the claims due to the omission of claims numbers 57 and 63 in previously submitted claim amendments.

Currently claims 1-12 and 42-62 (as newly renumbered below) are pending and allowed below.

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Larry Meier on December 4, 2008.

**Amendments to the Claims:**

Claims 58-64 are herein renumbered to account for the omission of claim numbers 57 and 63 in the claim amendments filed August 19, 2008 and November 19, 2008. The claim numbers for claims 1-56 remain unchanged by this amendment.

~~58~~ 57. (Currently amended) A system according to claim 9, wherein said threshold for each of said plurality of low-volume products equals said random number times a summation of said numerical representations for said first time period for said each low-volume product.

~~59~~ 58. (Currently amended) A system according to claim 9, wherein said threshold is an integer.

~~60~~ 59. (Currently amended) A system according to claim I l, wherein said determining step includes indicating that a projected sale of each of said plurality of low-volume products occurs in that one of said plurality of second time periods in which, for said each low-volume product, said mathematical product exceeds said threshold.

~~61~~ 60. (Currently amended) A system according to claim I l, wherein each of said numerical representations used in said determining step is a percentage of total sales over a third time period for a corresponding one of said plurality of low-volume products that is projected to fall in one of said plurality of second time periods.

~~62~~ 61. (Currently amended) A system according to claim 11, wherein said threshold for each of said plurality of low-volume products equals said random number times a summation of said numerical representations for said first time period for said each low-volume product.

~~64~~ 62. (Currently amended) A system according to claim 1, wherein said threshold is one of the following: a fraction and an integer.

## ALLOWANCE

The following is an Allowance in response to the Amendment submitted on November 19, 2008 and the telephone interview held with Mr. Meier on December 4, 2008. Claims 1-12 and 42-62 (as renumbered above) are currently pending and allowed below.

## REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance.

The present invention is directed to a forecasting system and method for determining time-phased sales forecasts and planned replenishment shipments for low-volume products in a retail store supply chain wherein replenishment shipment dates are distributed within a first time period for each of a plurality of low volume products by offsetting the replenishment dates from a day in the first period.

The closest prior art Masters, James M., Determination of Near Optimal Stock Levels for Multi-Echelon Distribution Inventories (1993); Lowson et al., Quick Response: Managing the Supply Chain to Meet Customer Demand (1999), Jenkins et al., U.S.

Patent Publication No. 2002/0188499 and Ryzin, Garrett, Analyzing Inventory Costs and Service in Supply Chains (2001) fail to teach or suggest either singularly or in combination a retail supply chain forecasting system and method comprising: determining projected sales of a plurality of low-volume products for a retail store in the supply chain during a first time period using numerical representations of seasonal selling profiles for each of said plurality of low-volume products during said first time period, wherein said projected sales are determined with respect to each of said plurality of said low-volume products by evaluating when a mathematical product obtained by multiplying a random number times a summation of said numerical representations of seasonal selling profiles for said each low-volume product for a plurality of second time periods exceeds a threshold, wherein said threshold each of said plurality of low-volume products equals said random number times a summation of said numerical representations for said first time period number to determine an offset from a day in said first time period for each of said low-volume product; and using said projected sales determined by said first portion, distributes within said first time period replenishment shipment dates for each of said plurality of low-volume products, wherein said offset is used by said second portion to define said replenishment shipment dates as recited in independent Claims 1, 7 9 and 11.

Additionally Applicant's arguments, see Paragraphs 3-4, Page 13, filed July 22, 2008, with respect to Masters, Lowson and Jenkins have been fully considered and are persuasive. Further Applicant's arguments, see Last Paragraph, Page 10; Paragraph 3,

Page 11, filed July 22, 2008 with respect to applicant's previous sale of Retail Resource Planning Software have been fully considered and are persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Maskell, Distribution Resource Planning (Part 1, Part 2, 1988), teach the well known utilization of computer systems to forecast and plan time-phased inventory replenishment in a supply chain

- Tersine et al., Optimal Stock Replenishment Strategies in Response to Temporary Price Reductions (1989) a plurality of stock replenishment strategies for scheduling replenishment orders (shipments).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624